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OFFICE OF PETITIONS

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In re Patent No. 6,818,431
Issue Date: November 16, 2004
Application No.: 09/512,019
Filed: February 24, 2009
Attorney Docket No.: LEE-109

ON PETITION

This is a decision on the petition, filed October 16, 2009, under 37 CFR 1.378(c) to accept the unintentionally delayed payment of the 3.5-year maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The patent issued November 16, 2004. The grace period for paying the 3.5-year maintenance fee expired at midnight November 16, 2008. Therefore, since the petition was filed within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), this petition was timely filed under the provisions of 37 CFR 1.378(c).

Accordingly, the maintenance fee in this case of \$490.00 will be accepted along with the surcharge of \$1640.00¹. The above-identified patent is hereby reinstated as of the mail date of this decision.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

¹ It is noted that petitioner only paid \$700.00 for the surcharge. The surcharge for the petition under 37 CFR 1.378(c) is \$1,640.00. Deposit account 03-3125 will be charged \$940.00 accordingly.